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MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE
DE AUSTIN, 1828-1832

V

EDITED BY EUGENE C. BARKER

[p. 39] The following relief bill was approved and the President authorized to pay the same out of any moneys not otherwise appropriated.

To Francis W. Johnson, for services rendered by him; as clerk, in a criminal prosecution.....	\$ 62.50
To Thomas H. Borden, for his services as Surveyor to the Municipality, in laying off out lots.....	52.94
Total amt.	\$115.44

The President was authorized to pay the salary of the acting Secretary, at the expiration of the first quarter, according to the order of his appointment.

The Ayuntamto adjourned until 8 o'clock to morrow morning.

Thursday 5th Oct. 1830 at 8 o'clock A. M. the Ayuntamto met according to adjournment of yesterday Present the same as before.

The Sindico Procurador represented to this body, the murder committed this morning by one Thomas Jefferson Pryor on the person of one Peter Andrews of this town, and the escape of the murdered, the exertions of the civil and military authorities for his apprehension notwithstanding: Whereupon it was ordered, that the President be authorized and required, to offer a Reward of Two Hundred Dollars and all necessary expences paid, for the apprehension and delivery into the custody of the Alcalde of this Jurisdiction the aforesaid [p. 40] Pryor that he may be dealt with according to law, and that the public Justice may not remain violated with impunity.³⁴

The ordinance No. 6 relative to Horse raicing was presented discussed and approved.

³⁴This murder was the subject of a thoughtful editorial in the *Texas Gazette* of October 9, 1830, condemning the practice of carrying weapons.

No other business appearing at this time before this body, it adjourn'd to meet again in course of the law.

Jorge Fisher

Secy pro tem

[p. 41] In the town of Austin on the 27th day of Sept. 1830.³⁵ The President Thomas Barnett and the other individuals composing the Ayuntamiento of this Municipality having met in the Hall of their sessions an official letter of the Deputies Ignacio Sendejas Rafael Manchola, Jose María Aragon, and Jose Maria Balmaceda relative to the proceedings that took place on the 1st of this month in the Capital of the State, and asking this Body to manifest their opinion, whether the aforesaid Deputies have become undeserving of the public confidence as Deputies, was read. Also an official communication from the Hons. Ayunto. of the City of Leona Vicario [Saltillo] was read, on the same subject, accompanied with a copy of the proceedings of a meeting held in that city on the 1st inst. and a copy of the representation which in consequence of said meeting, the Ayunto. of said City has made to the H. Legislature of this state.³⁶

1. Having seen all these documents, and having discussed and meditated the subject with the calm and deliberation which it deserves, so much for its weighty importance, as for the high re-

³⁵Chronologically this minute should follow the proceedings of September 13 (above, page 194) but the order of the original is here preserved. Perhaps the incident described in the next entry, for the session of October 5, may explain the confusion in the original record.

³⁶On September 1, 1830, the ayuntamiento of Saltillo and several other persons declared the above deputies unworthy of confidence and petitioned the Legislature for their removal. At the same time they asked that Senator Carillo's election to the National Congress be set aside. The Legislature referred the petition to a committee, which on September 15 reported in favor of the expulsion of Balmaceda and Sendejas. The Legislature adopted the report and passed a decree of expulsion on the 18th. The Governor vetoed it as unconstitutional on the 27th and the Legislature passed it the next day over his veto.—*Texas Gazette*, October 30, 1830.

The ayuntamiento of Saltillo acted under a declaration of the Plan of Jalapa, which said that "those functionaries should be removed, against whom the general opinion had expressed itself." The ayuntamiento of San Felipe disapproved of the proceedings of the ayuntamiento of Saltillo and urged observance of the Constitution. The letter to the ayuntamiento of Saltillo, though signed by Barnett as President of the ayuntamiento of San Felipe, was written by Austin, who was called on to handle this political crisis.—See Austin Papers of September 27, 1830.

spectability of its origin, this Ayunto. has resolved: that to the Ayuntamto of Leona Vicario shall be answered in terms as expressed in the answer, of which a copy is annexed to this act.

2. Resolved, that this Ayuntamto has not the slightest hesitation to declare for itself and in the name of the people of this municipality that the Deputies of Texas Jose Maria Balmaceda and Rafael Manchola have not rendered themselves unworthy in the least particular of the confidence [p. 42] for the station which they occupy as Deputies, neither have there any accounts reached this corporation relative to the conduct and deportment of the Deputies Ygnacio Sendejas, and Jose Maria Aragon, that they have become unworthy of the public confidence, for the office which they fill.

3. Resolved that this corporation will support in the full and ample enjoyment, and exercise of all the rights and authorities which the Constitution of the State confers and guarantees, to said deputies, especially those of Texas. And that the Congress be required to observe the constitution, and to punish those who should have infringed it.

4. Lastly it was resolved that copies of the present proceedings and of the official communication of the Hon: the Ayunto. of Leona Vicario with the answer to it by this corporation, be remitted to said Deputies, for the purpose of laying the same before His Ex: the Governor of the State, for the suitable purposes.

And having thus ordered the Ayunto. of this Municipality and without any other business of importance being before them, it adjourned, having the President, and the other members signed these proceedings.

Thos. Barnett

Prest.

Walter C. White

Jorge Fisher

3d Regr

Secy pr. tiempo

[p. 43] In the town of San Felipe de Austin on the 5th day of October 1830 at 5 o'clock P. M. The Ayuntamto in session this day without the presence of the secretary pro tem George Fisher, and present Thomas Barnett, prest. Jesse H. Cartwright 2d Regidor, Walter C. White 3d regidor and William Pettus sin-

dico procurador without the presence of the 1st and 4th regidors they being absent. It was unanimously agreed upon by the members that as their confidence in the person of George Fisher now serving the body as secretary pro tem is entirely destroyed, as well for the reason of his attempts to cause the Ayuntamiento. to use language in their official communications stronger and of a different nature than that the judgement of the body deemed proper. And by his actions and conduct appears strenuously anxious to trammil the body in difficulties to further his own individual views, as well also for the reason that the said Fisher has latterly declared to persons of undoubted veracity that during the latter part of last year while residing in Mexico he acted as a secret emissary and spy of Genl Guerrero the then prest. of the Republic, and consequently opposing as far as was in his power the work of reformation, and the restoration of the Constitution and Laws from the shackels which burthened them. And since he has been acting as secretary to this body has endeavored to take advantage of their total ignorance of the Spanish language and cause the body to declare by its official act that the members were partisans and entered into the views and feelings of political parties, without informing the members of the nature of them or their objects, thereby betraying them into an expression of opinion which they are ignorant of, and covertly keeping them from the truth. When they had always manifested to Sd Fisher, that as adopted citizens they owed obedience to the Constitution and Laws, and that as such adopted citizens and unacquainted with the Castillian Language they could not prudently enter into political questions which they could not understand having their origin at remote distances and being in a language different from their own, and one they [p. 44] are totally unacquainted with. Also this Ayto. has seen the copy of an official letter from said Fisher written to the Govt while he was acting as provisional collector of the port of Galveston stating that it was the practice to introduce african Negroes from the Havana thereby charging the inhabitants with carrying on an illicit trade with the enemies of the republic and with a direct and scandalous violation of the law relative to the introduction of African Slaves. And also stating to the Govt various other things which are absolutely false and which are calculated to in-

jure the character of the inhabitants of this colony and to deceive the Govt. Therefore the Ayuntamto deem it a duty they owe to themselves, to the good order and tranquility of the Municipality, and also in strict observance of their duty as adopted citizens of the Constitution and Laws, to declare that they discharge the said Fisher from the office of Secy pro tem of the body. And inasmuch as it is not the wish of the Ayunto. to injure any individual agree that a mild note shall be handed said Fisher signed by them all notifying him of his dismissal and requiring him to deliver up the records and papers in his possession which note shall be in the following words "Town of Austin October 5th 1830. Mr. George Fisher. Sir—This Ayuntamiento has concluded that you are not to act as secretary pro tem for the body any longer. Therefore you will deliver all the papers and records etc that may be in your possession belonging to this municipality to the Alcalde who is fully authorized to settle with you for your services.

Respectfully—Thos. Barnett. [p. 45] president—Jesse H. Cartwright 2d Regidor—Walter C. White 3d Regidor—William Pettus Sindico procurador.

Thos. Barnett

Samuel M. Williams

Secy pro tem

[p. 46] In the town of San Felipe de Austin á 16 de Octubre de 1830. The members of the Ayuntamto. consisting of Thos. Barnett prest. Walter C. White 3d regidor and William Pettus Sindico procurador having on this day been requested by the prest. to meet as no more of the members are present and do not live in town. The prest. stated that matters relating to the Conduct of George Fisher the former Secy protem of the ayunto. had caused him to request the members to convene, the prest. then stated that the original drafts of the answer to the official letter of the Ayunto. of Leona Vicario from this Ayuntamto. under date of 27th Septemr last past, as likewise the original draft of the official letter to four of the deputies in the State Legislature and the draft of the Act of the Ayunto. of the same date; and which originals had been placed in the hands of said Fisher for the purpose of transcribing them in the book of acts and book of Correspondence and which notwithstanding the order given to the said Fisher in the

official note of the ayunto. to deliver the records and papers were concealed and retained by said Fisher, as he had every reason to believe as they could not be found among the papers returned to the office by Fisher, and from the fact of having asked him for them, and that the said Fisher had told him that he had burned them. The prest. exhibited to the members present the sworn declaration of Mr. Samuel M. Williams in which he states that he placed the papers referred to into the hands of said Fisher at the request of the alcalde while Fisher was secretary protem of this Ayunto. and the members present fully concurring in the prest. in the opinion and belief from the character [p. 47] and conduct of said Fisher, that he yet retained the papers concealed, they with one accord agreed they would in a body wait upon Mr. Fisher and ask him for said papers, and further that they would invite 3 or 4 good and respectable citizens, with the Sheriff and the present acting Secretary of the body to accompany them. On arriving at the room of said Fisher the Sindico procurador stated to him in presence of all that the members present had waited upon him at his room to ask and formally demand the before cited papers, to which demand the said Fisher instigated by the basest passions of the human heart replied, twice or thrice in the presence of the members and Luke Lessassier, William J. Russell, John Austin and the sheriff and Secy "I told you already I have burned them they no longer exist" the prest. then ordered the Sheriff to search Mr. Fisher's place, which order on being made known to Fisher, caused him to unlock a trunk and take from it two large bundles enveloped in clothing and tied up with great snugness and security and after having unbound one of the bundles he drew from it a small package folded and sealed up and after breaking it open took out and presented to the Secy of this body the identical papers which he had so repeatedly and shamefully declared he had burned. The turpitude and falsehood exposed induced the members of the Ayunto. then to order a general examination of his papers when among them there was found the herein after described papers, which he had without any authority from the Alcalde or Ayunto., or without having made a request to be furnished them, or permitted to draw Copies from the originals existing in the Archives, and abusing the trust and Confidence of

the ayto. and violating the duties of an honest man, had secretly and covertly taken—

LIST of documents found [p. 48] in possession of George Fisher former Secy protom of this Ayto. which said Fisher had secretly taken from the Archives without the knowledge or consent of the Ayunto. for the purpose of carrying them off.

- 1 The decree of the Legislature of this state No 128 circulated by the Chief of Department.
- 2d The circular of the minister of relations under date of 7th may, 1830 relative to the Collection of Minerals and natural curiosities.
- 3d The Decree relative to the introduction of goods from Yucatan
- 4th The Notice of the Empreso S. F. Austin published 20th nov. 1829 and filed same day with the Alcalde.
- 5th The law relative to matriculation of 20th novr. 1829
- 6th The act of the Ayunto. of Saltillo dated 31 decemr. 1829
- 7th The Official letter of His Excellency the Gov. dated 1st March, 1828 and circulated by the Chief of Depart. 6th April same year.
- 8th The law regulating passports 1 May 1828.
- 9th The report of the minister of State 12 Febr 1830.